



190 West Ostend St., #201
Baltimore, MD 21230
Phone: 410.547.1515
Fax: 410.837.5436

Patrick Moran - President

SB 79 - State Personnel - Education and Transportation - Grievance Procedures
POSITION: FAVORABLE

AFSCME Council 3 supports SB 79. This legislation permits state employees who work at our public higher education institutions and in the Maryland Department of Transportation (MDOT) to file grievances for damages when there are errors with their paychecks. The Maryland General Assembly authorized this for state employees in the executive branch under the State Personnel Management System (SPMS) in 2017 with the passage of HB1144/CH0783, and then again in 2019 with HB531/CH0664, a repeal of the sunset provision of the original law. This legislation simply authorizes our state employees in Higher Education and MDOT to have the same rights as state employees in the SPMS to grieve wage disputes and recover damages for missed earnings because of an error on their paycheck.

Damages begin accruing after the employee has filed the grievance and increase by 30% each pay period after that up to 3 times the amount in wages that were withheld. The employers have two pay periods or roughly 30 days to correct the pay error, before damages start accruing. This process has worked well in state government. Since 2017, state employees in the SPMS have been able to resolve paycheck disputes much faster, and often before damages begin accruing.

SB 79 is necessary because our members in Higher Education and Transportation can also suffer from long delays in getting paycheck issues resolved. There are a range of issues that can result in inaccurate paychecks. On occasion, overtime pay may be miscalculated. Other times, a person may not receive their promotional pay in a timely fashion, or there can be programming errors that credit the employee for only 8 hours worked in a pay period instead of 80. This can cause late bill payments, delays in paying rents and mortgages, and so on.

This legislation is important. It helps to ensure that employees are treated fairly and ultimately receive the compensation that they worked to earn. We urge you to provide a favorable report on SB 79.

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996

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